


FORM OF ORDER SHEET

Court of _____

Appeal No. 920/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/07/2024	<p>The appeal of Mr. Muhammad Arif Khan presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 05.07.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO 920 / 2024

MR. MUHAMMAD ARIF KHAN

V/S

EDU: DEPTT:

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Dated: 2-07-2024

APPELLANT

THROUGH:

NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

Service Appeal No. 920 /2024

Mr. Muhammad Arif Khan, PSHT (BPS-15)
GPS Yousaf Abad, Peshawar
Under transfer to GPS Sher Kallay, Peshawar.

..... **APPELLANT**

VERSUS

- 1- The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Education Officer (M) Peshawar.
- 3- Mr. Mehmood Fayyaz Saadi, PSHT GPS Lahori Gate, under transfer to GPS Yousaf Abad, Peshawar.

..... **RESPONDENTS**

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, 1974 AGAINST THE IMPUGNED ORDERS OF EVEN DATED 20/03/2024 WHEREBY THE APPELLANT WAS TRANSFERRED FROM GPS YOUSAF ABAD PESHAWAR TO GPS SHER KALLAY, PESHAWAR AND AGAINST THE INACTION OF THE APPELLATE AUTHORITY, BY NOT DECIDING THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STIPULATED PERIOD OF 90 DAYS.

Prayer:-

That on acceptance of the instant service appeal, the impugned office orders of even dated 20/03/2024 may very kindly be set aside and the respondents may kindly be directed not to transfer the appellant from GPS Yousaf Abad Peshawar. Any other remedy which this august Tribunal deem fit may also be awarded in favour of the appellant.

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R/SHEWETH:
ON FACTS:

- 1) That the appellant is the employee of the respondent department and serving as Primary School Head Teacher (BPS-15) in the respondent department quite efficiently and upto the entire satisfaction of his superiors.
- 2) That during service as PSHT (BPS-15) the appellant was transferred to Govt: Primary School Yousaf Abad, Peshawar in light of the Transfer/ Posting Policy of the Provincial Government as well as in light of the Transfer/Posting Regularity Act, 2011.
- 3) That the private respondent vide office order dated 12/03/2024 was promoted to the post of PSHT (BPS-15) and upon promotion the private respondent was posted at GPS Faisal Colony, Peshawar. Copy of the office order is attached as annexure.....**A**
- 4) That the appellant while serving as PSHT (BPS-15) at GPS Yousaf Abad, Peshawar the respondent No 2 issued the impugned orders of even dated 20/03/2024, whereby the appellant was transferred from GPS Yousaf Abad to GPS Sher Kallay Peshawar while the private respondent being blue-eyed chap was transferred in place of the appellant, despite of the fact that the private respondent was recently posted at GPS Faisal Colony, Peshawar. Copies of the impugned orders are attached as annexure.....**B&C**
- 5) That it is pertinent to mention that the appellant is a Type-II diabetic patient and under the Transfer/Posting Policy of Provincial Government the appellant is entitled to be posted to his nearby station and to this extent GPS Yousaf Abad is convenient to the appellant being local of the said area. Copies of the medical prescriptions are attached as annexure.....**D**
- 6) That appellant feeling aggrieved from the impugned orders of even dated 20/03/2024 preferred departmental appeal

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before the respondent No 1, but unfortunately during the pendency of the instant departmental appeal the station where the appellant was transferred i.e. GPS Sher Kallay was also filled up by one Mr. Arif Ullah Shah vide office order dated 30/05/2024. Copies of departmental appeal and order dated 30/05/2024 are attached as annexure.....E&F

- 7) That in light of above scenario, the appellant is in hanging position and as such having no other remedy, but to preferring the instant Service Appeal before this Honourable Tribunal inter alia on the following grounds:-

GROUND:

- A- That the impugned office orders of even dated 20/03/2024 are against the law, facts, norms of natural justice and material on the record, hence not tenable and liable to be set aside.
- B- That the respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 04 & 25 of the Constitution of Islamic Republic of Pakistan 1973, which act is unjust, unfair and hence not sustainable in the eye of law.
- C- That the impugned orders of even dated 20/03/2024 are violative of the Transfer/Posting Policy of Provincial Government as well as violative of Transfer/Posting Regulatory Act, 2011, therefore, not tenable and are liable to be set aside.
- D- That the impugned office order of even dated 20/03/2024 have not been passed in the public interest, nor exigencies of public service, therefore, not tenable and liable to be set aside.
- E- That as appellant is a Type-II Diabetic person/employee of respondent department therefore in light of Clause XIV (a) & (b) the appellant is entitled to be posted at the nearby

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station or at the station from he was transferred i.e. GPS Yousaf Abad, Peshawar.

- F- That the private respondent within a span of only ten days was transferred twice firstly to GPS Faisal Colony and then to GPS Yousaf Abad, therefore, on this score alone and in light of clause I & IV of the Transfer/Positing Policy, the impugned order dated 20/03/2024 is not tenable and is liable to be set aside. Copy of transfer posting policy is attached as annexure.....G
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal may kindly be accepted as prayed for.

Dated: -07-2024


APPELLANT

THROUGH:


NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

AFFIDAVIT

I, Mr. Muhammad Arif Khan, PSHT (BPS-15), do hereby solemnly affirm and declare on oath that the contents of this **Service Appeal** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble tribunal.


DEPONENT

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO _____ / 2024

MUHAMMAD ARIF KHAN V/S

EDU: DEPTT:

APPLICATION FOR SUSPENSION OF OPERATION OF THE IMPUGNED ORDERS OF EVEN DATED 20/03/2024 WHEREBY THE APPELLANT WAS TRANSFERRED FROM GPS YOUSAF ABAD PESHAWAR TO GPS SHER KALLAY, PESHAWAR, TILL THE DISPOSAL OF THE MAIN APPEAL.

R/SHEWETH:

- 1- That the above mentioned appeal along with this application has been filed the appellant before this august Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal against the impugned orders of even dated 20/03/2024 whereby the appellant was transferred from GPS Yousaf Abad Peshawar to GPS Sher Kallay, Peshawar.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned orders of even dated 20/03/2024 in utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the operation of impugned orders of even dated 20/03/2024 may very kindly be suspended till the disposal of the above mentioned service appeal.

Dated: 2-07-2024


APPELLANT

THROUGH:

NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

AFFIDAVIT

I, Mr. Muhammad Arif Khan, PSHT (BPS-15), do hereby solemnly affirm and declare on oath that the contents of this **application** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble tribunal.


DEPONENT

"A" (6) (10)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR

Consequent upon the recommendation of the Departmental Promotion Committee held on 19/12/2023, the competent authority is pleased to promote and adjust the following SPSTs to PSHT post in the schools noted against their names in the light of the Director Elementary & Secondary Education Department Notification No. G104-59 Rationalization/Estab with immediate effect in the interest of Public service.

S.No	Circle	Teacher Name	Father Name	Present School	Adjusted at	Remarks
1	2	3	4	5	6	7
1	CPU	Abdul Wahed	Abdul Hameed	GPS Tember Pura	GPS Wali Abad	
2	CPU	Muhammad Saddiq	Muhammad Ishaq	GPS Bela Niko Khan	GPS Ghari Abad Phando	
3	City	Mujahid Hussain	Gul Rehman	GPS YOUSAF ABAD	GPS Ghari Gula Khan	
4	Canit	Shabbir Ahmad	Ghulam Ahmad	GPS Civil Quarters No.2	GPS Central Jail	
5	City	MUHAMMAD IQBAL	MUKAHRAM KILAN	GPS AKHOON ABAD	GPS Jogan Shahi	
6	CPU	FAZLI QADIR KILAN	GUL KILAN	GPS Duran Pur	GPS Kala	
7	City	MAHMOOD FAYYAZ SAADI	ABDUR REHMAN SAADI	GPS LATIF ABAD	GPS Faisal Colony	
8	IMU	ISRAIL KHAN	ABBAS KILAN	GPS No.4 Mera Umar Milana	GPS Ghari Khan Wali	
9	Canit	Iqbal Ahmad	Abdul Musim	GPS No.3 Nothia Qadeem	GPS No.2 Nouthia Qadeem	
10	Mat	Manzoor Shah	Wilayat Shah	GPS Azam Abad	GPS Garha Tajik	

Necessary entry should be made in their service books. They should give an undertaking to the effect that if any overpayment is made to them as a result of incorrect award of BPS.15 the same would be recovered from their pay/pension and gratuity etc. Charge report should be submitted to all concerned. No TA/DA is allowed.

District Education Officer
(Male) Peshawar

Endst No: 7121-35 Dated Peshawar the 12/03/2024

Forwarded for information to the:

- 1 Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2 Accountant General Khyber Pakhtunkhwa Peshawar.
- 3 Sub Divisional Education Officers (Male) Town I,II,III,IV Peshawar.
- 4 ASDEOs Circle Concerned.
- 5 DMO IMU Peshawar.
- 6 Officials concerned.

Dy: District Education Officer
(Male) Peshawar

Attested to be True
Copy

PESHAWAR

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR

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(7)

OFFICE ORDER

Mr. Muhammad Arif Khan PSHT, GPS Yousaf Abad Peshawar is hereby transferred on administrative ground and posted at GPS Sher Killy Peshawar against vacant post on his own pay and BPS in the interest of public service with immediate effect.

Note:

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.

District Education Officer
(Male) Peshawar

Endst No: 10384-87 / Dated 20/03 /2024

Copy of the above is forwarded to the :

1. Accountant General Khber Pakhtun Khwa Peshawar.
2. SDEO(M) Town Concerned.
3. ASDEO(M) Circle Concerned.
4. Official Concerned.

Dy. District Education Officer
(Male) Peshawar

Attested to be True
Copy

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR

OFFICE ORDER

Mr. Mehmood Fayyaz Saadi PSHT, GPS Lahori Gate Peshawar is hereby transferred and posted at GPS Yousafabad Peshawar against vacant post on his own pay and BPS in the interest of public service with immediate effect.

Note:

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.

District Education Officer
(Male) Peshawar

Endst No: 10376-79 Dated 20/03 /2024

Copy of the above is forwarded to the :

1. Accountant General. Khber Pakhtun Khwa Peshawar.
2. SDEO(M) Town Concerned.
3. ASDEO(M) Circle Concerned.
4. Official Concerned.

Copy signed

[Signature]
SDEO(M) Peshawar
Town 1 Peshawar

[Signature]
Dy. District Education Officer
(Male) Peshawar

Attested to be True
Copy

Annex 4

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مجلس تحریک اسلامی اعلیٰ سندھ کی ایگزیکٹو کمیٹی کی طرف سے

درخواست گزار (معتدل) مسعودی تبادلہ قیامی / 87-384 مورخہ 20/3/2024

ضابطہ عالی - سائل نمبر 11 میں بیان کیے گئے

تبادلہ قیامی کیلئے درج ذیل شرائط سے اس کی ضمانت سرانجام دینا ہے اور مختلف اوقات میں تبادلہ قیامی کے بارے میں درج ذیل علاقوں میں ڈیڑھ سہ ماہی کی سرانجام دی ہے۔ اس سائل کی عمر 57 سال ہے۔

لیجسلیٹو سائٹس کمیٹی ہڈ ماہیٹر PHT 695 ایسٹ آباد میں تعینات تھا کہ ایجنٹ دو دو ماہر ملائے ہیں تبادلہ کا حکم نامہ آیا، جسے سیاسی سبیا دی کر پورا ہے

لیجسلیٹو سائٹس کمیٹی ہڈ ماہیٹر کے لئے یہ اندہ کافی (رہے سے الٹوین کا شمال دن میں 3 بار کرتا ہے۔ تمام تبدیلیوں کے ساتھ ساتھ اس کے لئے اور نئے سائل کی سبب سے اس میں اس کی ضمانت سرانجام دی اور تبدیلی کی ضمانت پر ہی مقررہ بار اسکول میں ڈیڑھ سہ ماہی ہوا تھا

~~یہ سائل اس وقت درج ذیل شرائط سے اس کی ضمانت سرانجام دینا ہے~~

لہذا اس سبب سے کہ سب سے پہلے اس کی ضمانت کو مدلل رکھنے کے سائل کے تبادلہ کے احکامات متوجہ کرنے کا حکم صادر فرمائے تاکہ اس کے ساتھ ساتھ اس کے تبادلہ کے

Attested to be True Copy

محمد عارف خان
ہڈ ماہیٹر 695 ایسٹ آباد

(مجھے تبادلہ کرنے ہے)

313
29-3-2024
فرمان / منجھان

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR

Consequent upon the recommendation of the Departmental Promotion Committee held on 22/05/2024, the competent authority is pleased to promote and adjust the following SPSTs (BPS-14) to PSHTs (BPS-15) post in the schools noted against their names with immediate effect in the interest of Public service.

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S.No	Teacher Name	Father Name	Present School	Adjusted at	Remarks
1	Tanzeer Ahmad	Mir Bakhsh	GPS No.1 Jogiwar	GPS Budhai 1	AVP
2	Sultan Qamar	Zar Gul	GPS No.1 Tauda	GPS No.2 Tauda	AVP
3	M. Saad Khan	Samin Khan	GPS No.1 Zaryab Colony	GPS Piarl Payan	AVP
4	Hameedullah	Inayatullah Jan	GPS No.2 Lakaral Kaneeza	GPS Khadim Abad	AVP
5	M Haq Khalil	M Hassan Khalil	GPS No.1 Tehkal Bala	GPS Lakaral Kaneeza	AVP
6	Zahid Khan	Khanzada	GPS Berl Bagh	GPS Shaghali Tapoo	AVP
7	Muhammad Waqif	Ulat Khan	GPS No. 1 Deh Bahadar	GPS Mahboob Abad	AVP
8	Hanif Ullah	Hamd Ullah Jan	GPS No.2 Chaghar Matti	GPS Chaghar Matti 3	AVP
9	Tariq Ahmed	Zaristan	GPS No.1 Sherkera	GPS No.1 Mattani	AVP
10	Abdul Haseeb	Umara Khan	GPS No.1 Aza Khel	GPS Khandad Killi	AVP
11	Azfarqyar Khan	Fazal Raheem	GPS Shajee Abad	GPS Shah Jee Abad	AVP
12	Fareed Khan	Subhan Shah	GPS No.2 Urmar Bala	GPS Garhi Chandan Payan	AVP
13	Niaz Muhammad	Gul Muhammad	GPS No.1 Mera Urmar Payan No.1	GPS Garhi Khan Wak	AVP
14	Ashraf Ullah	Habib Ullah	GPS No.1 Musa Zal	GPS No.2 Tela Band	AVP
15	Azjad Ali	Nawab Ali	GPS No.1 Musa Zal	GPS Muhammad Ali Kalay	AVP
16	Azjad Khan	Nazir Khan	GPS No.2 Pawaka	GPS Fishtakhora Bala	AVP
17	Muhammad Arshad Haseem	Noor Haleem Jan	GPS Madina Colony	GPS Garhi Muhammad Hassan	AVP
18	Fakhar Yar	Muqarab Khan	GPS No.4 Urmar Payan	GPS Wali Abad	AVP
19	M Tahir Khan	Muzaffar Khan	GPS Garhi Badshah Gul	GPS Garhi Badshah Gul	AVP
20	Muhammad Saeed	Faqir Muhammad	GPS Gulshan Rehman colony	GPS Hassan Abad	AVP
21	Muhammad Javed	Muhammad Saleem	GPS Buda Kander Khel	GPS Sheikh Kalay	AVP
22	Zaid Khan	Ihsan Ullah	GPS Mashal Sharif	GPS No.2 Takhtatabad	AVP
23	Zafar Ali	Safdar Khan	GPS Garhi Mustajab	GPS Shahi Bala	AVP

Dy. District Education Officer
(Male) Peshawar

- For information to the:
- District Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
 - Accountant General Khyber Pakhtunkhwa Peshawar.
 - Sub-District Education Officers (Male) Town & Rural Peshawar.
 - ASSED: City Concerned.
 - CMO EVA Peshawar.
 - Officials concerned.

Endst No: 8721-8770 Dated Peshawar the 30/05/2024
District Education Officer
(Male) Peshawar

24	Mir Rahim	GPS No.3 Tehkal Bala	GPS Suri Dethi	AVP
25	Shahid Khan	GPS Garhi Farsi Haq	GPS Shor Kaly	AVP
26	Sardar Muhammad	Sardar Rehman	GPS Charib Abad Pindus	AVP
27	Sardar Khan	Murtaza Khan	GPS Kandi Posht Khel	AVP
28	Sardar Muhammad	Afzal Khan	GPS Shahed Ghari	AVP
29	Murad Khan	Gul Rahim	GPS No.1 Zargab Colony	AVP
30	Majid Ali	Sardar Rasool	GPS Warid Garhi	AVP
31	Muhammad Shah	Muhammad Hameed	GPS No.2 Hayat Abad	AVP
32	Muhammad Masih	Manga Masih	GPS No.4 Gujrahar	AVP
33	Muhammad Khan	Mehboob Khan	GPS Har Zai	AVP
34	Abdul Hussain	Abdul Malik Sahi	GPS Railway Quarters	AVP
35	Fahim Ahmad	Darwish Gul	GPS No.2 Miera Umar Payan	AVP
36	Yasir Ahmad	Muhammad Afzal	GPS Garhi Mohammad	AVP
37	Muhammad Shah	Muhammad Khan	GPS Gazi Abad	AVP
38	Muhammad Shah	Umar Khan	GPS Garhi Gul Khan	AVP
39	Muhammad Shah	Umar Khan	GPS Bagh Khan Khel	AVP
40	Muhammad Shah	Muhammad Shah	GPS Ghumbabad	AVP

(12)



GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)

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POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) { }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained

While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPO/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

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Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No. SOR-VI (E&AD) 1-4/2003/Vol-VI, dated 3-6-2003. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules. Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

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- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement
 DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Dept in consultation with Head of Attached Department concerned. Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:
- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
- b) Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

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xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

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All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.
{Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003}.

.....

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

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VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No 12024

Muhammaed Arif Khan

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Govt of KP

(RESPONDENT)
(DEFENDANT)

I/we Muhammaed Arif Khan

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. / / 2022

Muhammaed Arif Khan
CLIENT

ACCEPTED

**NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT**

Waleed Adnan
WALEED ADNAN

Umar Farooq Mohmand
UMAR FAROOQ MOHMAND

&

Mahmood Jan
**MAHMOOD JAN
ADVOCATES**

Abdul Ali Shaikh
**Abdul Ali Shaikh
Adv**

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